

B Chen Architect PLLC

75 Eckford Street, Brooklyn, NY 11222; TEL: (718)440-8741, E-mail :BChen@BChen.com

November 16, 2020

Stuart H. Finkelstein, Esq.
338 Jericho Turnpike
Syosset, NY 11791

Re: 82-88 Fulton Street
New York, NY
Block: 77 Lot: 24

Dear Mr. Finkelstein,

As per your request, an interior survey of 82 Fulton Street was conducted on Thursday October 22, 2020 at approximately 12:00 pm in the afternoon. The building architect and lawyer was also present for the walk thru of all retail space. All, the retail space, are located outdoor, In an open arcade style layout, with a 3'-0" walkway, In front of the stores.



The first space which we walked thru was Affina spa, located at the corner of the building, on the first, floor level. The exterior, entry door, Is currently not ADA accessible, due to the temporary entry awning. Once the awning is removed, the entry should meet ADA approach requirement. The interior walk way of the space are fairly wide and meet ADA requirements for movement. There are two area which are not readily ADA accessible. One of the areas, In question, Is located on the left hand side of the space, next to the exterior window wall. The space consisted of a raised 6" high platform used for pedicure. The other space, which Is not ADA accessible, Is the public restroom. Due to the location of the door, in relation to the hallway, it is not ADA accessible. The approach to the restroom door is what we call a side approach. In this type of

approach, you need to have a clear hallway width of 42" min. Currently, the hallway is approximately 40", with an Inswing door into the restroom. Once inside, the restroom, the door would not be meet ADA requirement also. The door opens into a minor 40" x 30" hallway, then opening, up to a 62" x 64" restroom. In exiting the restroom, the door would be considered a frontal approach. In this type of approach, you need a clear space of 18" next to the door, which there Is currently does not exist. In terms of the

B Chen Architect PLLC

75 Eckford Street, Brooklyn, NY 11222; TEL: (718)440-8741, E-mail :BChen@BChen.com



restroom, as per ADA requirement, a toilet needs to be located Inside a clear space of 60" x 56", with no other fixture within the space unless It Is a private toilet or a bathroom. Currently, there Is a lavatory within the required clear space, which does not meet ADA requirement. ``

The next space which we looked at was a vacant Chinese restaurant. The approach, Into the space does not meet ADA requirements. Since the front entry door Is considered a

side approach, the walkway needs to be 42" wide minimum, but the current passageway or balcony Is only 36". In terms of the Interior, the space was vacant, with no public restroom or tables setup.



The third space which we visited was a Russian bath house or spa. The entry to the Spa was located on the ground floor street level, with the spa Itself, being located on the cellar and sub-cellar of the building. The spa Itself Is not ADA accessible, either from the sidewalk level or inside the space itself. Going Inside the spa, requires walking down three steps, from the sidewalk, onto a small exterior vestibule, then walking thru a pair of 36" glass door which swings out wards onto the small vestibule. Once Inside the space, there Is a 48" deep Interior vestibule with a staircase, going down onto the cellar level and Into, the main reception area. On the right side of the main reception area, there Is a stair with four steps going up, on to an open balcony passageway looking down onto the main sitting area located on the sub-cellar. At the end of the

balcony passageway, there Is a sitting area, which has another stair with two steps going up to taking you to another level and onto a second lobby area. Inside this small lobby area, there are two more staircase on the righthand side, with an elevator, at the front of the stair, that might take you up to the rest of the building. Management of the spa was not sure. In between the elevator and the stair was a doorway leading you onto the pool. One of the stairs takes you up to eight steps and onto a dining area,

B Chen Architect PLLC

75 Eckford Street, Brooklyn, NY 11222; TEL: (718)440-8741, E-mail :BChen@BChen.com



located at another level. The second stair goes down onto the sub-cellar. On the left hand, side of the lobby was a pair of double doors, which takes you Inside a sitting room. Going down the stairs to the sub-cellar there was another sitting area and a lounge which opens, up to the passageway balcony above. At the end of the lounge, there was another vestibule or small lobby area which leads you to either the men's or ladies' restroom and locker room. At the corner of the lobby was a staircase

which goes up to the main reception area and the main staircase taking you out of the space. The whole Spa Is like a split level of different spaces. The rooms itself, are mostly ADA compliant, but going from one space Into, another Is not ADA compliant, due to the many stairs which you might have, to pass thru. The space In question Is capable of being modify to be ADA compliant, but It has to be study on a plan level detail.

The fourth space which we Inspected Is a small dry cleaner/laundry shop. Like the other retail space, the entry door approach is not ADA compliant. The Interior public space Is ADA compliant, with enough room to maneuver around. Since It Is a full-service cleaner and not self-serve, there is no issue with the space.

The fifth space which we looked at was an Indian Tandoor restaurant. Like the previous spaces, the approach going Inside the space are not ADA compliant, due to the exterior width of the walkway. Once Inside the restaurant, the front half of the dining area Is compliant while the rear and restroom are not. In order, for a person to reach the public restroom at the rear of the restaurant, you would need to walk down a stair consisting of four steps, from the front dining area, which bring you down to a non-ADA compliant dining area. At the rear of the dining room, there Is another set of stairs going up seven steps onto a narrow landing. At the end of this landing Is the door to a 3' wide x 7' long restroom, which Is not ADA compliant.



B Chen Architect PLLC

75 Eckford Street, Brooklyn, NY 11222; TEL: (718)440-8741, E-mail :BChen@BChen.com

The sixth space which we looked at was a vacant retail space located on basement level



of the building. Like the other retail space, the basement level is not ADA compliant also, with access by stairs only. Since the space was vacant, an inspection of the interior was not conducted, since the ADA issue should be taken care of by any future tenant build out, when filing for work inside.

The seventh space which we looked at is also located on another level of the basement, located to the left side of the stair, from the sidewalk level.

The space was also a vacant, empty space. Like the previous space, it is not ADA accessible due to the stair issue and the approach issue.

The eighth and last space is located on the left side of the spa. To gain access to the space, you need to walk down one step, onto a small landing then down another step to the exterior vestibule of the space. The space, in question, was also vacant and empty with empty display case.

In reviewing all the retail space, each one is capable of being modified to accommodate the ADA issues. There are still rooms in the arcade to expand the walkway slightly to accommodate a side approach into each retail space. Once inside each retail space, there are rooms to accommodate any public restroom and walkway if required. Even the cellar spa is capable of being made ADA compliant, when the plans are properly studied and reviewed.



Sincerely,

Billy Chen RA AIA